

DELEGATION OF AUTHORITY

DATE: 7/31/2009

TOXIC SUBSTANCES CONTROL ACT (TSCA)

12-2-B. Administrative Enforcement: Agency Representation in Hearings  
and Signing of Consent Agreements

1. PURPOSE AND LEGAL AUTHORITY.

A. Purpose. To redelegate the authorities contained in Delegation 12-2-B issued by EPA Headquarters on May 11, 1994.

B. Authority. To:

(1) represent EPA in civil penalty adjudications conducted under the TSCA and 5 U.S.C. Section 554;

(2) negotiate consent agreements between the Agency and respondents resulting from such enforcement actions; and

(3) represent the Agency in appeals.

2. TO WHOM DELEGATED.

A. The Director, Office of Environmental Stewardship (OES).

B. The Director, OES, further redelgates this authority as follows:

(1) The functions in 1.B.(1) and 1.B.(3) are delegated to Agency attorneys as designated by the Manager, Regulatory Legal Unit, OES; and

(2) the function in 1.B.(2) is delegated to Agency attorneys as designated by the Manager, Regulatory Legal Unit, OES, or appropriate OES technical program staff, as designated by the Manager, Regulatory Legal Unit, OES, in consultation with the Manager, Toxics and Pesticides Unit, OES.

3. REDELEGATION AUTHORITY. This authority may not be redelegated.

4. LIMITATIONS.

A. This authority may only be exercised after the alleged violator either files an answer or fails to file an answer within the specified time period.

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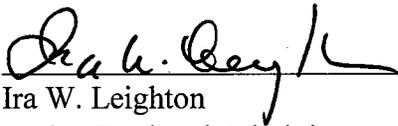
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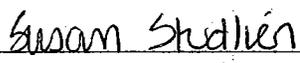
LIMITATIONS (CONT'D).

B. The Agency official who signed the complaint should sign the settlement agreement.

5. ADDITIONAL REFERENCES. Section 16 of TSCA.

6. SUPERSESSION. Region 1 Delegation of Authority 12-2-B, dated November 6, 2000.

  
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Ira W. Leighton  
Acting Regional Administrator

  
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Susan Studlien, Director  
Office of Environmental Stewardship

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